

1 \$3,700.PRE

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**FILED**

DISTRICT COURT OF GUAM

FEB 27 2006 *RP*

MARY L.M. MORAN  
CLERK OF COURT

8  
9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE TERRITORY OF GUAM**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 \$3,700.00 UNITED STATES  
15 CURRENCY,

16 Defendant.

CIVIL CASE NO. 05-00040

**PRELIMINARY ORDER  
OF FORFEITURE**

17  
18 WHEREAS, the United States sought forfeiture of specific property of the above-named  
19 defendant pursuant to Title 18, United States Code, §§ 981(a)(1)(C), 1956(c)(7), 1961(1)(F) and  
20 Title 8, United States Code, § 1324(b), for the forfeiture of United States Currency, which  
21 constitutes proceeds traceable to a violation of Title 8, United States Code, § 1324(A)(2)(B)(ii),  
22 Alien Smuggling for Commercial Advantage or Private Financial Gain, as charged in said  
23 Complaint for Forfeiture or as property used or intended to be used to facilitate said violations;

24 Accordingly, it is hereby **ORDERED, ADJUDGED AND DECREED:**

25 1. That \$3,700.00 in United States Currency is forfeited to the United States of America  
26 pursuant to Title 18, United States Code, §§ 981(a)(1)(C), 1956(c)(7), 1961(1)(F) and Title 8,

1 United States Code, § 1324(b) for disposition in accordance with the law.

2 2. That all of the aforementioned forfeited property is to be held by the United States  
3 Marshals Service, in their secure custody and control.

4 3. That pursuant to Title 21, United States Code, § 853(n)(1), the United States Marshal  
5 forthwith shall publish at least once for three successive weeks in a newspaper of general  
6 circulation, notice of this Order, notice of the Marshals' intent to dispose of the property in such  
7 manner as the Attorney General may direct, and notice that any person, other than the Defendant,  
8 having or claiming a legal interest in any of the above-listed forfeited properties must file a  
9 petition with the Court within thirty (30) days of the final publication of notice or of receipt of  
10 actual notice, whichever is earlier.

11 This notice shall state that the petition shall be for a hearing to adjudicate the validity of  
12 the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of  
13 perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each  
14 of the forfeited properties and any additional facts supporting the petitioner's claim and the relief  
15 sought.

16 The United States may also, to the extent practicable, provide direct written notice to any  
17 person known to have alleged an interest in the properties that are the subject of the Order of  
18 Forfeiture, as a substitute for published notice as to those persons so notified.

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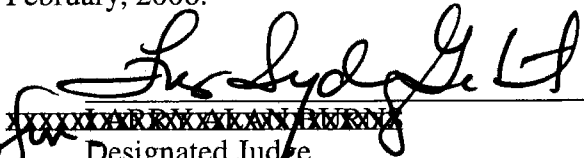
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1 4. That upon adjudication of all third-party interests, this Court will enter a Final Order  
2 of Forfeiture pursuant to Title 21, United States Code, § 853(h), in which all interests will be  
3 addressed.


4 **SO ORDERED** this 27<sup>th</sup> day of February, 2006.

5   
6 ~~XXXXXXXXXXXXXXXXXXXX~~  
7 Designated Judge  
8 District Court of Guam  
9 **FRANCES TYDINGCO-GATEWOOD**

10 Presented By:

11 LEONARDO M. RAPADAS  
12 United States Attorney  
13 Districts of Guam and NMI

14 By:

15   
16 KARON V. JOHNSON  
17 Assistant U.S. Attorney

18 **RECEIVED**  
19 FEB - 7 2006

20 **DISTRICT COURT OF GUAM**  
21 **HAGATNA, GUAM**